

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
Richmond Division**

**MARK F. GUIMOND and KALLIE A.
GUIMOND, on behalf of themselves and
others similarly situated,**

Plaintiffs,

v.

**TOYOTA MOTOR CREDIT
CORPORATION,**

Defendant.

C.A. No. 3:12-cv-00606-JAG

**DEFENDANT TOYOTA MOTOR CREDIT CORPORATION'S
INITIAL DISCLOSURES**

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, defendant Toyota Motor Credit Corporation ("TMCC") hereby submits the following initial disclosures to plaintiffs Mark F. Guimond and Kallie A. Guimond (collectively, "Plaintiffs").

RESERVATION OF RIGHTS

1. TMCC's initial disclosures are based upon information reasonably available to TMCC as of the date these disclosures were prepared. This litigation is at an early stage, and TMCC's preliminary investigation of the claims in the case is ongoing. As of the date of these disclosures, TMCC has not had a sufficient opportunity to identify and review all documents and otherwise collect all information that may be pertinent to the subject matter of the action. TMCC reserves the right to revise, supplement, or amend these disclosures based upon additional information, documents, or facts that may later be discovered.

2. By identifying persons in this document, TMCC does not admit or deny the relevance or admissibility of their testimony, or their availability or relevance as witnesses.

3. TMCC reserves the right to make objections to the production and admissibility of any documents or tangible things or the answering of interrogatories regarding any matters discussed herein.

4. In making these disclosures, TMCC does not waive the attorney-client privilege, the attorney work-product doctrine, or any other available privilege, doctrine, or immunity.

5. The Complaint contains putative class descriptions, but no class has been certified. Thus, TMCC provides relevant Rule 26(a)(1) initial disclosures relating solely to the named plaintiff, and reserves the right to supplement these disclosures when and if a class may be certified.

INITIAL DISCLOSURES

A. Pursuant to FED. R. CIV. P. 26(a)(1)(A)(i), TMCC provides the following names of individuals likely to have discoverable information that TMCC may use to support its claims or defenses:

1. Credit decision policies and procedures: Gloria Ham; National Sales Operations Manager; Toyota Motor Credit Corporation; 19001 S. Western Ave., Torrance, CA 90501; (310) 468-8520.

2. Adverse action letter sent to Plaintiffs: Mizuho (Missy) Yota; Sales Operation Manager; Toyota Motor Credit Corporation; 19001 S. Western Ave., Torrance, CA 90501; (310) 468-3456.

3. Credit decision regarding Plaintiffs' application: Michael Chase; Dealer Services Operations Manager; Toyota Motor Credit Corporation; 3957 Westerre Parkway, Suite 200, Richmond, VA 23233; (804) 965-2801.

4. Loan origination system: Michele Cybula; Business Technology Solutions Senior Business Systems Analyst; Toyota Motor Credit Corporation; 19001 S. Western Ave., Torrance, CA 90501; (310) 468-8192.

TMCC reserves the right to revise, supplement, or amend this list of individuals based upon additional information, documents, or facts that may later be discovered.

B. Pursuant to FED. R. CIV. P. 26(a)(1)(A)(ii), TMCC has the following documents, electronically stored information, and/or tangible things in its possession, custody, or control, which TMCC may use to support its claims or defenses:

1. TMCC's Field Operating Policies and Procedures 305—Consumer Credit Verification (CONFIDENTIAL and produced subject to the Stipulated Protective Order (DN-22) in this matter).

2. TMCC's Field Operating Policies and Procedures 306—Credit Decision Requirements (CONFIDENTIAL and produced subject to the Stipulated Protective Order (DN-22) in this matter).

3. TMCC's Field Operating Policies and Procedures 307—The Equal Credit Opportunity Act and Fair Credit Reporting Act (CONFIDENTIAL and produced subject to the Stipulated Protective Order (DN-22) in this matter).

4. Loan origination system data relating to Plaintiffs (CONFIDENTIAL and produced subject to the Stipulated Protective Order (DN-22) in this matter).

5. Template of adverse action letter sent to Plaintiffs.

6. Requirements relating to vendor processing, printing, and mailing of adverse action letters (CONFIDENTIAL and produced subject to the Stipulated Protective Order (DN-22) in this matter).

TMCC reserves the right to revise, supplement, or amend this list of documents or categories of documents based upon additional information, documents, or facts that may later be discovered.

C. FED. R. CIV. P. 26(a)(1)(A)(iii) is inapplicable because TMCC does not claim any monetary damages at this time. TMCC expressly reserves the right to seek recovery of attorneys' fees and costs.

D. No insurance agreement is applicable pursuant to FED. R. CIV. P. 26(a)(1)(A)(iv).

/s/ Ryan Jennifer Rosner

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Dated: November 26, 2012

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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of November, 2012, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which sends a notification of such filing (NEF) to the following:

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